

*Scheindlin, J*APR 16 2010
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKSECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

COLLINS & AIKMAN CORPORATION,
DAVID A. STOCKMAN, J. MICHAEL STEPP,
GERALD E. JONES, DAVID R. COSGROVE,
ELKIN B. MCCALLUM, PAUL C. BARNABA,
JOHN G. GALANTE, CHRISTOPHER M.
WILLIAMS, and THOMAS V. GOUGHERTY,

Defendants.

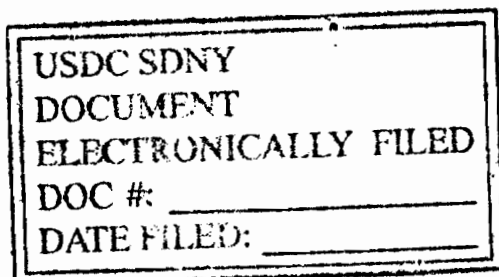
Civil Action No. 07-2419

Honorable Shira A. Scheindlin

STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between the plaintiff Securities and Exchange Commission ("Commission") and defendants Stockman, Stepp, Jones, Cosgrove, McCallum, Barnaba, Galante, Williams, and Gougherty ("Defendants"), and subject to the approval of the Court, that:

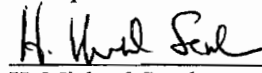
1. The Commission's First Claim For Relief is dismissed with prejudice to the extent that it asserts claims under Section 17(a)(1) of the Securities Act [15 U.S.C. § 77q(a)(1)].
2. The Commission's First Claim for Relief is deemed to have been amended to add defendant McCallum as one of the defendants against whom a claim is asserted under Sections 17(a)(2) and (3) of the Securities Act [15 U.S.C. §§ 77q(a)(2) and (3)].
3. The Commission's Second Claim For Relief is dismissed with prejudice.

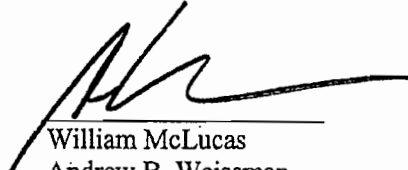


4. All remaining claims for relief asserted against defendants Jones, Galante, Williams, and Gougherty are dismissed with prejudice as to those defendants.

5. Each of the Defendants waives any rights under the Equal Access to Justice Act, the Small Business Regulatory Enforcement Fairness Act of 1996, or any other provision of law to seek from the United States, or any agency, or any official of the United States acting in his or her official capacity, directly or indirectly, reimbursement of attorney's fees or other fees, expenses, or costs expended to defend against this action.

So stipulated:


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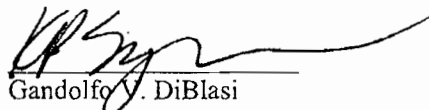
Eileen Donoghue
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Counsel for Elkin McCallum

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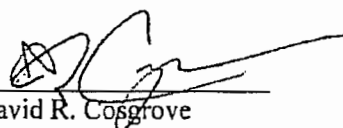
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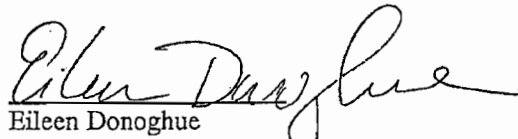
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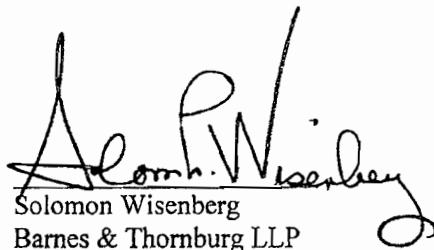
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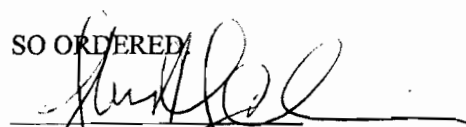
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*Counsel for Christopher Williams
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Date:

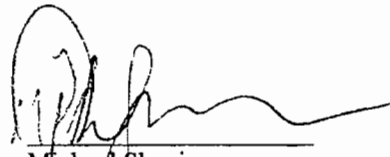
4/19/10

SO ORDERED



SHIRA A. SCHEINDLIN
U.S. District Judge

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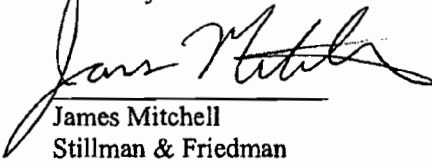
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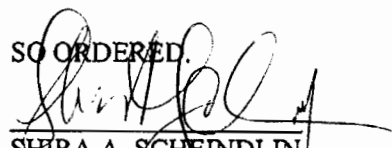
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